

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:13-cv-84-FDW**

**PHILLIP TYRONE MORRISON,**

**Petitioner,**

**vs.**

**UNITED STATES OF AMERICA,**


**Respondent.**

**ORDER**

UPON MOTION of the Government, (Doc. No. 21), to hold Petitioner's motion to vacate brought under 28 U.S.C. § 2255 in abeyance pending resolution of United States v. Wheeler, Fourth Circuit Case No. 16-6073. Petitioner opposes the motion to stay.

IT IS HEREBY ORDERED that the Motion to Stay, (Doc. No. 21), is **GRANTED** for the reasons stated in the Government's memorandum. The Government shall file its response within 45 days of the date the decision in United States v. Wheeler, Fourth Circuit Case No. 16-6073, is issued.

Signed: January 19, 2018

  
\_\_\_\_\_  
Frank D. Whitney  
Chief United States District Judge

